

LEGISLATURE OF NEBRASKA  
ONE HUNDREDTH LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 84**

Introduced By: Howard, 9; Aguilar, 35; Cornett, 45; Flood, 19; Lathrop,  
12

Read first time: January 5, 2007

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to the Nebraska Rules of the Road; to amend  
2 section 60-601, Revised Statutes Cumulative Supplement,  
3 2006; to regulate the movement of traffic approaching or  
4 passing a stopped authorized emergency vehicle; to provide  
5 penalties; to harmonize provisions; and to repeal the  
6 original section.

7 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 60-601, Revised Statutes Cumulative  
2 Supplement, 2006, is amended to read:

3           60-601. Sections 60-601 to 60-6,377 and section 2 of this  
4 act shall be known and may be cited as the Nebraska Rules of the  
5 Road.

6           Sec. 2. (1)(a) A driver in a vehicle on a controlled-access  
7 highway approaching or passing a stopped authorized emergency vehicle  
8 which makes use of proper audible or visual signals shall proceed  
9 with due care and caution as described in subsection (2) of this  
10 section.

11           (b) On a controlled-access highway with at least two  
12 adjacent lanes of travel in the same direction on the same side of the  
13 highway where a stopped authorized emergency vehicle is using proper  
14 audible or visual signals, the driver of the vehicle shall proceed  
15 with due care and caution and yield the right-of-way by moving into a  
16 lane at least one moving lane apart from the stopped authorized  
17 emergency vehicle unless directed otherwise by a peace officer or  
18 other authorized emergency personnel. If moving into another lane is  
19 not possible because of weather conditions, road conditions, or the  
20 immediate presence of vehicular or pedestrian traffic or because the  
21 controlled-access highway does not have two available adjacent lanes  
22 of travel in the same direction on the same side of the highway where  
23 such a stopped authorized emergency vehicle is located, the driver of  
24 the approaching or passing vehicle shall reduce his or her speed,  
25 maintain a safe speed with regard to the location of the stopped  
26 authorized emergency vehicle, weather conditions, road conditions,  
27 and vehicular or pedestrian traffic, and proceed with due care and

1 caution or proceed as directed by a peace officer or other authorized  
2 emergency personnel.

3 (c) Any person who violates this subsection is guilty of a  
4 traffic infraction for a first offense and Class IIIA misdemeanor for  
5 a second or subsequent offense.

6 (2) The Department of Roads shall erect and maintain or  
7 cause to be erected and maintained signs giving notice of subsection  
8 (1) of this section along controlled-access highways. This section is  
9 not effective for a controlled-access highway until such signs are  
10 erected and maintained along such highway.

11 (3) Enforcement of subsection (1) of this section shall not  
12 be accomplished using simulated situations involving an authorized  
13 emergency vehicle.

14 (4) This section does not relieve the driver of an  
15 authorized emergency vehicle from the duty to drive with due regard  
16 for the safety of all persons using the highway.

17 Sec. 3. Original section 60-601, Revised Statutes Cumulative  
18 Supplement, 2006, is repealed.